



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Matsuo et al

:

Group Art Unit: 1713

Application No. 09/326,691 :

Examiner: Peter D. Mulcahy

Filed: June 7, 1999 :

For: Rubber Composition and Pneumatic tire using said Rubber
Composition

SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. §1.132

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

I, Tomoyasu Nishizaki, do declare and state as follows:

I graduated from Tokyo University with a Master's Degree in
Applied Chemistry in March 1999;

I joined Bridgestone Corporation in April 1999, and since that
time I have been engaged in research and development in the field
of tire materials at Bridgestone's Tire Material Development
Department;

I am currently in charge of the subject matter disclosed and
claimed in the above-identified application; and

I am familiar with the Office Action of July 7, 2003, and understand that the Examiner has rejected claim 19 under 35 U.S.C. §102 (b) or (e)/103 (a) as anticipated by or, as obvious over EP 070143 or JP-A 9-151279.

Object of the present Declaration under 37 C.F.R. §1.132:

The object of the present Declaration is to submit additional data which proves that that the rubber composition defined by claim 19 of the present application is clearly different, in terms of the physical property, from the rubber compositions disclosed in Japan '279 and EP '143.

Experiments:

First, the rubber composition of Japan '279, as prescribed in example 4 thereof, was prepared and the temperature C (°C) thereof which corresponds to "Temperature C (°C)" of Table 1 of the present specification was measured in the same manner as in the present invention.

As a result, it was confirmed that the rubber composition of Japan '279 (example 4) had, in a curve exhibiting a change in dynamic storage modulus during elevation of temperature, an intersection of an extrapolation line A and an extrapolation line B (refer to Fig. 3 of the present specification) at 90 °C. That is, the temperature

C (°C) thereof is 90 °C, which is clearly beyond the range (170 °C or higher) defined by claim 19 of the present application.

Similarly, the rubber composition of EP '143, as prescribed in example 22 thereof, was prepared and the temperature C (°C) thereof which corresponds to "Temperature C (°C)" of Table 1 of the present specification was measured in the same manner as in the present invention.

As a result, it was confirmed that the rubber composition of EP '143 (example 22) had, in a curve exhibiting a change in dynamic storage modulus during elevation of temperature, an intersection of an extrapolation line A and an extrapolation line B (refer to Fig. 3 of the present specification) at 120 °C. That is, the temperature C (°C) thereof is 120 °C, which is clearly beyond the range (170 °C or higher) defined by claim 19 of the present application.

Conclusion:

From the results described above, it is concluded that the rubber compositions of Japan '279 and EP '143 do not meet the requirements of physical property defined by claim 19 of the present application and thus are completely different substances from the rubber composition defined by claim 19.

I further declare that all statements made herein of my own

knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: Sep 30, 2003

T. Nishizaki

Tomoyasu Nishizaki